

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

18 cr 505(PKC)

v.

ORDER GRANTING MOTION  
FOR REDUCTION  
IN SENTENCE  
UNDER 18 U.S.C. § 3582(c)(1)(A)

SEBASTIEN BAEZ

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This Court previously denied the defendant's motion for a sentence reduction under section 3582(c)(1)(A) for reasons set forth on the record of the proceedings of May 27, 2020. Defendant by his counsel has moved to reconsider the denial of the motion citing among other factors the continuing increase in positive Covid-19 cases at the facility where defendant is incarcerated, FCI Fort Dix. (According to the Bureau of Prisons, 238 inmates and 18 staff infected as of November 17, 2020.) Defendant has no prior criminal history, had a limited role in the offense conduct and has serious health issues. His projected release date is November 17, 2021.

After considering the applicable factors set forth in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission and acknowledging the broad discretion of this Court to consider all relevant factors both in isolation and in combination, the renewed motion of the defendant for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A), is GRANTED.

Defendant's previously imposed sentence of 33 months imprisonment and 3 years supervised release is reduced to **TIME SERVED, except that the defendant shall at the discretion of the Bureau of Prisons remain in its custody for up to five days from the date of this Order.**

Defendant's term of supervised release is unchanged except for the added condition of four months strict home confinement at the home of his mother in Paterson, New Jersey (the address is as set forth in Doc 61 at 8 of 8) with electronic monitoring at the discretion of the United States Office of Probation.

The United States Office of Probation for this District shall promptly prepare the appropriate draft Orders for transfer of jurisdiction of supervised release to the District of New Jersey. If for any reason the District of New Jersey does not accept transfer, then defendant shall be supervised by the Office of Probation in this District which may require the defendant to move to this District within a reasonable period of time.

The government shall forthwith notify the Bureau of Prisons of this Order.

The Clerk shall terminate the letter motions. (Doc 69 & 70.)

SO ORDERED.

Dated: November 17, 2020  
New York, New York



P. Kevin Castel  
United States District Judge